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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/48/646)]

48/40. United Nations Relief and Works Agency for Palestine Refugees in the Near East

A

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 47/69 A of 14 December 1992 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1992 to 30 June 1993, 1/ and, in particular, of the hope expressed by the Commissioner-General "that this report covers an era which is gone forever",

Welcoming the signature by the Government of the State of Israel and the Palestine Liberation Organization of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes, and its Agreed Minutes, at Washington, D.C., on 13 September 1993, 2/

1/ A/48/13 and Add.1 and Add.1/Corr.1.

2/ A/48/486-S/26560, annex.

1. Notes with regret that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not yet been effected and that, therefore, the situation of the refugees continues to be a matter of concern;

2. Expresses its thanks to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and to private organizations for their valuable work in assisting the refugees;

3. Requests that the headquarters of the Agency should be transferred as soon as practicable to its area of operations;

4. Notes with regret that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), 3/ and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 1994;

5. Notes that the new context created by the Declaration of Principles on Interim Self-Government, including its Annexes, and its Agreed Minutes, signed at Washington, D.C., on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization 2/ will have major consequences for the activities of the Agency, which is henceforth called upon, within the framework of strengthened cooperation with the specialized agencies and the World Bank, to make a decisive contribution towards giving a fresh impetus to the economic and social stability of the occupied territories, and notes also that the functioning of the Agency remains essential throughout its area of operations;

6. Welcomes the results of the Conference to Support Middle East Peace, held on 1 October 1993, concerning urgent financial and economic assistance in support of the Israeli-Palestinian accord, and urges all Member States to extend aid and assistance with a view to the economic development of the occupied territories;

7. Directs attention to the continuing seriousness of the financial position of the Agency, as outlined in the report of the Commissioner-General;

8. Notes with profound concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, the increased level of income to the Agency is still insufficient to cover essential budget requirements in the current year and that, at the currently foreseen levels of contributions, deficits will recur each year;

9. Calls upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency, and therefore urges non-contributing Governments to contribute regularly and

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3/ See A/48/474, annex.

contributing Governments to consider increasing their regular contributions.

75th plenary meeting
10 December 1993

B

Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 47/69 B of 14 December 1992 and the previous resolutions on this question,

Recalling also its decision 36/462 of 16 March 1982, by which it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, 4/

Having considered the report of the Working Group, 5/

Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1992 to 30 June 1993, 1/

Deeply concerned about the critical financial situation of the Agency, which has affected and affects the continuation of the provision of the necessary Agency services to the Palestine refugees, including the emergency-related programmes,

Emphasizing the continuing need for extraordinary efforts in order to maintain, at least at the current minimum level, the activities of the Agency, as well as to enable the Agency to carry out essential construction,

1. Commends the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the financial security of the Agency;

2. Takes note with approval of the report of the Working Group; 5/

3. Requests the Working Group to continue its efforts, in cooperation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year;

4. Requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

75th plenary meeting
10 December 1993

4/ A/36/866 and Corr.1; see also A/37/591.

5/ A/48/554.

C

Assistance to persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolution 47/69 C of 14 December 1992 and all its previous resolutions on the question,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1992 to 30 June 1993, 1/

Concerned about the continued human suffering resulting from the hostilities in the Middle East,

1. Reaffirms its resolution 47/69 C and all its previous resolutions on the question;

2. Endorses, bearing in mind the objectives of those resolutions, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance as far as practicable, on an emergency basis and as a temporary measure, to other persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

3. Strongly appeals to all Governments and to organizations and individuals to contribute generously for the above purposes to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and to the other intergovernmental and non-governmental organizations concerned.

75th plenary meeting
10 December 1993

D

Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of 3 December 1986, 42/69 D of 2 December 1987, 43/57 D of 6 December 1988, 44/47 D of 8 December 1989, 45/73 D of 11 December 1990, 46/46 D of 9 December 1991 and 47/69 D of 14 December 1992,

Cognizant of the fact that the Palestine refugees have, for the last four decades, lost their homes, lands and means of livelihood,

Having considered the report of the Secretary-General, 6/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1992 to 30 June 1993, 1/

1. Urges all States to respond to the appeal in its resolution 32/90 F of 13 December 1977 and reiterated in subsequent relevant resolutions in a manner commensurate with the needs of Palestine refugees for higher education, including vocational training;

2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions 41/69 D, 42/69 D, 43/57 D, 44/47 D, 45/73 D, 46/46 D and 47/69 D;

4. Invites the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;

5. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;

6. Also appeals to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

7. Requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships and to award them to qualified Palestine refugee candidates;

8. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.

75th plenary meeting
10 December 1993

6/ A/48/372.

E

Palestine refugees in the Palestinian territory occupied by Israel since 1967

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also its resolutions 2792 C (XXVI) of 6 December 1971, 2963 C (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 E of 23 November 1976, 32/90 C of 13 December 1977, 33/112 E of 18 December 1978, 34/52 F of 23 November 1979, 35/13 F of 3 November 1980, 36/146 A of 16 December 1981, 37/120 E and I of 16 December 1982, 38/83 E and J of 15 December 1983, 39/99 E and J of 14 December 1984, 40/165 E and J of 16 December 1985, 41/69 E and J of 3 December 1986, 42/69 E and J of 2 December 1987, 43/57 E of 6 December 1988, 44/47 E of 8 December 1989, 45/73 E of 11 December 1990, 46/46 E of 9 December 1991 and 47/69 E of 14 December 1992,

Having considered the report of the Secretary-General, 7/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1992 to 30 June 1993, 1/

Recalling the provisions of paragraph 11 of its resolution 194 (III) of 11 December 1948, and considering that measures to resettle Palestine refugees in the Palestinian territory occupied by Israel since 1967 away from their homes and property from which they were displaced constitute a violation of their inalienable right of return,

Alarmed by the reports received from the Commissioner-General that the Israeli occupying authorities, in contravention of the obligation of Israel under international law, persist in their policy of demolishing shelters occupied by refugee families,

1. Demands once again that Israel desist from the removal and resettlement of Palestine refugees in the Palestinian territory occupied by Israel since 1967 and from the destruction of their shelters;

2. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to address the acute situation of the Palestine refugees in the Palestinian territory occupied by Israel since 1967 and accordingly to extend all the services of the Agency to those refugees;

3. Requests the Secretary-General, in cooperation with the Commissioner-General, to resume issuing identification cards to all Palestine refugees and their descendants in the occupied Palestinian territory, irrespective of whether or not they are recipients of rations and services of the Agency;

4. Also requests the Secretary-General, after consulting with the

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7/ A/48/373.

Commissioner-General, to report to the General Assembly, before the opening of its forty-ninth session, on the implementation of the present resolution and, in particular, on the compliance of Israel with paragraph 1 above.

75th plenary meeting
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F

Return of population and refugees displaced since 1967

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also its resolutions 2252 (ES-V) of 4 July 1967, 2452 A (XXIII) of 19 December 1968, 2535 B (XXIV) of 10 December 1969, 2672 D (XXV) of 8 December 1970, 2792 E (XXVI) of 6 December 1971, 2963 C and D (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 D of 23 November 1976, 32/90 E of 13 December 1977, 33/112 F of 18 December 1978, 34/52 E of 23 November 1979, ES-7/2 of 29 July 1980, 35/13 E of 3 November 1980, 36/146 B of 16 December 1981, 37/120 G of 16 December 1982, 38/83 G of 15 December 1983, 39/99 G of 14 December 1984, 40/165 G of 16 December 1985, 41/69 G of 3 December 1986, 42/69 G of 2 December 1987, 43/57 G of 6 December 1988, 44/47 G of 8 December 1989, 45/73 G of 11 December 1990, 46/46 G of 9 December 1991 and 47/69 G of 14 December 1992,

Having considered the report of the Secretary-General, 8/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1992 to 30 June 1993, 1/

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes, and its Agreed Minutes, signed at Washington, D.C. on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization, 2/

1. Reaffirms the inalienable right of all displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. Calls upon Israel to accelerate the necessary steps for the unimpeded return of all displaced inhabitants;

3. Requests the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly, before the opening of its forty-ninth session, on the compliance of Israel with paragraph 2 above.

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8/ A/48/375.

G

Revenues derived from Palestine refugees' properties

The General Assembly,

Recalling its resolutions 35/13 A to F of 3 November 1980, 36/146 C of 16 December 1981, 37/120 H of 16 December 1982, 38/83 H of 15 December 1983, 39/99 H of 14 December 1984, 40/165 H of 16 December 1985, 41/69 H of 3 December 1986, 42/69 H of 2 December 1987, 43/57 H of 6 December 1988, 44/47 H of 8 December 1989, 45/73 H of 11 December 1990, 46/46 H of 9 December 1991, 47/69 H of 14 December 1992 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Secretary-General, 9/

Taking note also of the report of the United Nations Conciliation Commission for Palestine, covering the period from 1 September 1992 to 31 August 1993, 10/

Recalling that the Universal Declaration of Human Rights 11/ and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her private property,

Considering that the Palestine Arab refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of justice and equity,

Recalling, in particular, its resolution 394 (V) of 14 December 1950, in which it directed the United Nations Conciliation Commission for Palestine, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine Arab refugees,

Taking note of the completion of the programme of identification and evaluation of Arab property, as announced by the United Nations Conciliation Commission for Palestine in its twenty-second progress report, 12/ and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

1. Requests the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel and to establish a fund for the receipt of income derived therefrom, on behalf of the rightful owners;

9/ A/48/275.

10/ A/48/474.

11/ Resolution 217 A (III).

12/ Official Records of the General Assembly, Nineteenth Session, Annexes, annex No. 11, document A/5700.

2. Calls once more upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

3. Calls upon the Governments of all the other Member States concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel which would assist the Secretary-General in the implementation of the present resolution;

4. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.

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H

Protection of Palestine refugees

The General Assembly,

Recalling, in particular, recent Security Council resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990, 673 (1990) of 24 October 1990, 681 (1990) of 20 December 1990, 694 (1991) of 24 May 1991 and 726 (1992) of 6 January 1992,

Also recalling its resolutions ES-7/5 of 26 June 1982, ES-7/6 and ES-7/8 of 19 August 1982, ES-7/9 of 24 September 1982, 37/120 J of 16 December 1982, 38/83 I of 15 December 1983, 39/99 I of 14 December 1984, 40/165 I of 16 December 1985, 41/69 I of 3 December 1986, 42/69 I of 2 December 1987, 43/21 of 3 November 1988, 43/57 I of 6 December 1988, 44/47 I of 8 December 1989, 45/73 I of 11 December 1990, 46/46 I of 9 December 1991 and 47/69 I of 14 December 1992,

Taking note of the report of the Secretary-General dated 21 January 1988, submitted in accordance with Security Council resolution 605 (1987), 13/ the report dated 31 October 1990, submitted in accordance with Council resolution 672 (1990), 14/ and the report dated 9 April 1991, submitted in accordance with Council resolution 681 (1990), 15/

Having considered the report of the Secretary-General, 16/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1992 to 30 June 1993, 1/

13/ S/19443.

14/ S/21919 and Corr.1.

15/ S/22472 and Add.1-3.

16/ A/48/376.

Concerned about the situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

Taking into account the need to consider measures for the impartial protection of the Palestinian civilian population under Israeli occupation,

Referring to the humanitarian principles of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 17/ and to the obligations arising from the regulations annexed to the Hague Convention IV of 1907, 18/

Deeply distressed that, notwithstanding the improved security situation owing to the deployment of the Lebanese army, the Lebanese and Palestinian population are still suffering from continuing Israeli acts of aggression against Lebanon and from other hostile acts,

1. Holds Israel responsible for the security of the Palestine refugees in the occupied Palestinian territory, including Jerusalem, and calls upon it to fulfil its obligations as the occupying Power in this regard, in accordance with the pertinent provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949; 17/

2. Calls upon all the High Contracting Parties to the Convention to take appropriate measures to ensure respect by Israel, the occupying Power, for the Convention in all circumstances, in conformity with their obligation under article 1 thereof;

3. Urges the Security Council to remain seized of the situation in the occupied Palestinian territory;

4. Urges the Secretary-General and the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue their efforts in support of the upholding of the safety and security and the legal and human rights of the Palestine refugees in all the territories under Israeli occupation since 1967;

5. Calls once again upon Israel to desist forthwith from acts of aggression against the Lebanese and Palestinian population in Lebanon, in violation of the Charter of the United Nations and the norms of international law;

6. Demands that Israel, the occupying Power, release forthwith all arbitrarily detained Palestine refugees, including the employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

7. Calls once again upon Israel to compensate the Agency for damages to its property and facilities resulting from the invasion of Lebanon by Israel in 1982, without prejudice to the responsibility of the latter for all

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17/ United Nations, Treaty Series, vol. 75, No. 973.

18/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915), p. 100.

damages resulting from that invasion, as well as for other damages resulting from the policies and practices of Israel, the occupying Power, in the occupied Palestinian territory;

8. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly, before the opening of its forty-ninth session, on the implementation of the present resolution.

75th plenary meeting
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I

University of Jerusalem "Al-Quds" for Palestine refugees

The General Assembly,

Recalling its resolutions 36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983, 39/99 K of 14 December 1984, 40/165 D and K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988, 44/47 J of 8 December 1989, 45/73 J of 11 December 1990, 46/46 J of 9 December 1991 and 47/69 J of 14 December 1992,

Having considered the report of the Secretary-General, 19/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1992 to 30 June 1993, 1/

1. Emphasizes the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

2. Requests the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds", in accordance with General Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

3. Calls once more upon Israel, the occupying Power, to cooperate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem "Al-Quds";

4. Also requests the Secretary-General to report to the General Assembly at its forty-ninth session on the progress made in the implementation of the present resolution.

75th plenary meeting
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19/ A/48/431.

J

Protection of Palestinian students and educational institutions and safeguarding of the security of the facilities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the occupied Palestinian territories

The General Assembly,

Recalling Security Council resolution 605 (1987) of 22 December 1987,

Recalling also its resolutions 43/21 of 3 November 1988, 43/57 I of 6 December 1988, 44/2 of 6 October 1989, 44/47 K of 8 December 1989, 45/73 K of 11 December 1990, 46/46 K of 9 December 1991 and 47/69 K of 14 December 1992,

Taking note of the report of the Secretary-General dated 21 January 1988, submitted in accordance with Security Council resolution 605 (1987), 13/ the report dated 31 October 1990, submitted in accordance with Council resolution 672 (1990) of 12 October 1990, 14/ and the report dated 9 April 1991, submitted in accordance with Council resolution 681 (1990) of 20 December 1990, 15/

Having considered the report of the Secretary-General, 20/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1992 to 30 June 1993, 1/

Taking note, in particular, of section IV of that report, especially paragraphs 88 and 89,

Concerned about the situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

1. Condemns the repeated Israeli raids on the premises and installations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and calls upon Israel, the occupying Power, to refrain from such raids;

2. Deplores the policy and practices of Israel, the occupying Power, which have led to the prolonged closure of educational and vocational institutions, a large number of which are operated by the Agency, and the repeated disruption of medical services;

3. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.

75th plenary meeting
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20/ A/48/377.